रजिस्ट्री सं० डी० 221 REGISTERED NO. D. 221

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 2
PART II—Section 2
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 54] नई दिल्ली, बृहस्पतिवार, नवम्बर 16, 1972/कार्तिक 25, 1894
No. 54] NEW DELHI, THURSDAY, NOVEMBER 16, 1972/KARTIKA 25, 1894

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

CENTRAL SECRETARIAT LIBRARY 2 DEC 1972

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 16th November, 1972:—

BILL NO. XXXIV OF 1972

A Bill to grant indemnity in respect of the failure to lay before Parliament certain regulations made under the All-India Services Act, 1951, and for certain other matters connected therewith.

BE it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

Short title.

1. This Act may be called the All-India Services Regulations (Indemnity) Act, 1972.

Indemnity.

2. The Central Government and all officers responsible for the laying of any regulation made before the commencement of this Act under or in pursuance of any rule made under the All-India Services Act, 1951, are, and each of them is, hereby freed, discharged and indemnified from and against all consequences, whatsoever, if any, incurred or to be incurred by them or the Central Government or any such officer, by reason of any omission in this behalf to lay such regulation before Parliament and every such regulation shall for all purposes be deemed to have been duly laid before Parliament and shall have effect and shall be deemed always to have had effect accordingly.

61 of 1951.

Amendment of section 3 of Act 61 of 1951.

3. In section 3 of the All-India Services Act, 1951,—

(i) in sub-section (1), after the words "including the State of Jammu and Kashmir", the words "and by notification in the Official Gazette" shall be inserted;

(*ii*) for sub-section (*2*), the following sub-section shall be substituted, namely:—

"(*2*) Every rule made by the Central Government under this section and every regulation made under or in pursuance of any such rule, shall be laid, as soon as may be after such rule or regulation is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in such rule or regulation or both Houses agree that such rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation."

STATEMENT OF OBJECTS AND REASONS

Some of the rules made under the All-India Services Act, 1951, empower the Central Government to make regulations in respect of certain matters. Sub-section (2) of section 3 of the said Act provides only for the laying of rules before Parliament. Consequently, regulations made up to the 1st July, 1967, were not laid before Parliament.

As, however, the regulations form an integral part of the rules, it was felt that it would be appropriate to lay the regulations before Parliament in the same manner as the rules are laid. The Bill seeks to indemnify the Central Government and its officials from all consequences arising out of the omission to lay the regulations before Parliament and provides that those regulations should, for all purposes, be deemed to have been duly made and have effect accordingly. In addition, it seeks to provide for the laying of regulations also before Parliament in future. The Bill also seeks to provide that the period for which the rules and regulations shall be laid before Parliament shall be thirty days and not fourteen days as at present.

NEW DELHI:
The 22nd September, 1972.

RAM NIWAS MIRDHA.

B. N. BANERJEE,
Secretary.

PRINTED BY THE GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI AND PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI, 1972